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Subject: dr. mash

Date: Wed, Oct 26, 2011 3:59 pm

mark -

copies of the following materials were requested during dr. mash's deposition on august 3 (pp. 133-140):

- a complete list of all cases in which dr. mash was involved as an expert;
- the amount of money paid to dr. mash by taser, international and/or other parties in each case for her services; and
- copies of all of dr. mash's deposition and trial testimony and case/court files.

When no materials were received, i followed-up with an email request on august 29. i sent another email request on sept. 2 because there had been no response to my email of august 29. i believe that howard also contacted you about this matter. thus, at least three separate requests for these materials have been made.

to date, there has been absolutely no compliance with the above referenced requests. given, we suspended work on the case in mid-september to focus on the mediation, but that does not explain the failure to produce in the more than 1-month prior to the suspension. we now must gear up for the daubert hearing and the requested material is critical to our preparation. we are not in a position that permits us to tolerate further delay.

in light of these matters, full and expeditious compliance with our production requests is expected. if we do not receive the requested materials in the next 7-days, we will have no choice but to file a motion to compel and to seek appropriate sanctions. my several emails to you will constitute my efforts to confer with you and attempt to resolve dispute over discovery before bringing the issue to the court's attention.

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